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My name is Frank Maturo. I have testified in front of the Judiciary Committee before on Bills which are trying to make Family Courts fairer for all parties, female and male. Bill 6927: An Act Concerning the Recommendations of the Law Revision Commission with Respect To Alimony Statutes – is a Bill that came out of a Judiciary Committee-mandated Commission. It came out of a group that was specifically put into place to improve family law. This group did not consist of people who were going through divorce and had a grievance. It consisted of family lawyers that work in the system, who are senior partners at law firms. It consisted of a family law judge, and it consisted of people who represented disadvantaged groups, like legal aid. And most importantly, it was chaired and led by a former CT Supreme Court Justice Ian McLachlan. This is someone who is extremely respected within the legal community, and has seen a great many of the Family Law cases that came before the Supreme Court and understands what needs to be improved. He is taking his judicial experience done at the highest level of the state and bringing it to the legislative process. This committee needs to listen to him and the Law Revision Commission.

The Bill does three important things: First, it codifies that the court needs to take into account the tax consequences of its decisions. One would think that is common sense, but until now that has not been the case. Secondly, it recognizes and establishes that a former spouse has the right to retire at age 65, and therefore not go bankrupt when their working life and earned income ends. A very sensible concept! Given how long people live in today's day and age, this Bill allows the opportunity for all the parties involved to reassess and potentially modify alimony, with one person not having a life sentence of working till they die. Thirdly, it finally addresses the nonsensical nature of CT's cohabitation statute.

The cohabitation statutes today require one to show that not only are two people living together, but also that the person who is receiving alimony and cohabitating is getting a financial benefit by being in that relationship. For a minute, put yourself in that situation: your ex-spouse is openly living with another person, you are writing a check every week to your former spouse, and you need to prove who is buying the milk in the refrigerator, who is buying the toilet paper, or who is paying the cable bill. Do you realize how difficult, and almost impossible that is? Think about the forensic accounting that entails! The subpoenas and depositions it requires to try and prove a financial component to the cohabitation two people are in will be unending. It is absurd, and in many cases the parties don't have the money to pursue that type of investigation.

So the outcome is that cohabitation continues, and the payor is paying for the payee to live with another person indefinitely in order not to lose that alimony paycheck. It is wrong. It is also wrong for the children in this situation, as the resentment between the parent's increases exponentially while the payor watches someone who, if they are living with the ex-spouse and not contributing to the partnership, can only be considered as one thing, a "freeloader". This Bill does the right and fair thing, by taking out the impossible to prove financial benefit clause, and reforms the cohabitation statutes.

Now let me tell you why this very well-written, intelligently debated, bipartisan Bill did not get passed last year. The Family Law division of the CBA. It is all about the money with them. This Bill reduces litigation. It will encourage more mediation. I am sure there are people representing that division sitting in this room today, making sure they talk to all of you and tell you the CBA doesn't like the wording and the Bill should not pass. That is what happened last year, we all know it. They give no logical reasons. A group trying to protect the contentious nature of family law which leads to more billable hours, are saying we don't like what a group of intelligent family lawyers, judges, and a former Supreme Court Justice spent hours and multiple days working on and unanimously approved.

So let's please use common sense, use your position by making the statutes gender neutral for all parties in a divorce. We need to give people the right to retire, and the financial component of the cohabitation statutes needs to go. We need to stop living with the family stereotype of the past. We live in a world where 80% of couples both work, more women graduate from college and get master's degrees than men, fathers are much more involved in their children's lives, and both spouses plan on moving on and finding love after divorce. And they should! But let them move on, and start a new family if they so choose. The divorce statutes today discourages that from happening, to the detriment of all parties involved, in particular the children caught in this cohabitation mess. Thank you for your time.

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